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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,000	02/16/2001	Alison Lee	YOR920000110US2	4058

7590

01/09/2006

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Uniondale, NY 11553

EXAMINER

PHAM, HUNG Q

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/785,000

Applicant(s)

LEE ET AL.

Examiner

HUNG Q. PHAM

Art Unit

2168

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 December 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

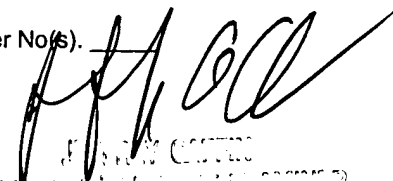
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-27.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No.(s).
13. ☐ Other: _____.


HUNG Q. PHAM
Examiner
Art Unit 2168

Continuation of 11:

- As argued by applicants at page 4, lines 1-3:
Moreover, although Carriere teaches a "bull's eye" graph showing the results of a user's query, this graph does not teach or suggest mapping users' interaction with a Website as recited by the claims of the present invention.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., this graph does not teach or suggest mapping users' interaction with a Website as recited by the claims of the present invention) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- As argued by applicants at page 4, lines 9-12:
Fig. 3 of Carriere actually teaches away from the claims of the present invention, which recite depicting the two, or more categories and the subcategories such the subcategories are graphically depicted within the corresponding category of the two or more categories by graphical representation.

Examiner respectfully traverses because of the following reasons:

1. Minar reference discloses the steps of *depicting the two or more categories and the subcategories such that the subcategories are graphically depicted within a corresponding category of the two or more categories.*

As suggested by Minar, the full dynamics visualization of Crowd Visualization can be seen as a Java applet at <http://www.media.mit.edu/~nelson/research/crowdvis>, <http://www.media.mit.edu/~nelson/research/crowdvis/WebVisApplet.html> and <http://www.media.mit.edu/~nelson/courses/social-visualization/dec3/>. To implement the full dynamics visualization, the web pages are organized into four topics: Software Agents, Synthetic Characters, Gesture and Narrative Language, and Epistemology and Learning. Each topic is placed in one quadrant of the display, and there are four kinds of pages in each topic: page for the topic as a whole (shown in red), for a project (green), for a person (blue), or for a course (yellow). As seen, the full dynamics visualization *depicting the two or more categories*, i.e., Software Agents and Synthetic Characters, *and the subcategories*, i.e., page for the topic as a whole (shown in red), for a project (green), for a person (blue), or for a course (yellow), *such that the subcategories are graphically depicted within a corresponding category of the two or more categories*, i.e., page for the topic as a whole (shown in red), for a project (green), for a person (blue), and for a course (yellow) are represented within Software Agents.

2. By combining with Carriere technique, level of specificity can be represented. FIG. 3 of Carriere shows three concentric circles, each containing nodes with equal connectivity, and FIG. 3 of Carriere *depicting the two or more categories*, i.e., cgl.uwaterloo.ca represented by URL <http://cgl.uwaterloo.ca>, and [~rnkazman/students](http://cgl.uwaterloo.ca/~rnkazman/students) represented by <http://cgl.uwaterloo.ca/~rnkazman/students.html>, *and the subcategories*, i.e., [~rnkazman](http://cgl.uwaterloo.ca/~rnkazman) represented by <http://cgl.uwaterloo.ca/~rnkazman>, *such that the subcategories are graphically depicted within a corresponding category of the two or more categories*, i.e., [~rnkazman](http://cgl.uwaterloo.ca/~rnkazman) is represented within cgl.uwaterloo.ca represented by the innermost circle.

For the above reasons, Examiner believed that rejection of the last Office action was proper.